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OFFICE OF PETITIONS

In re Patent of :
Vetterli et al. :
Application No. 09/817,314 : DECISION
Filed: March 26, 2001 : ON PETITION
Title of Invention: :
AUTOMATED ANNOTATION OF A VIEW :

This is a decision on the Petition to Revive Unintentionally Abandoned Application or Lapsed Patent (37 CFR 1.137(b)), filed October 18, 2005. The delay in treating this petition is regretted.

The petition is dismissed.

Any further petition to revive the above-identified application must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137." This is **not** final agency action within the meaning of 5 U.S.C. § 704.

The above-identified application became abandoned for failure to timely and properly reply to the non-final Office action, mailed July 16, 2002. The Office action set a three (3) month period for reply. No extensions of time having been obtained under 37 CFR 1.136(a), this application became abandoned on October 17, 2002. A Notice of Abandonment was mailed on July 1, 2003.

Applicant files the instant petition, Preliminary Amendment, Revocation and New Power of Attorney, and Statement under 37 CFR 3.73 (b) asserting that Ecole Polytechnique Federale de Lausanne is the patent owner by virtue of an assignment by the inventors, a copy of which was putatively attached to the Statement under 37 CFR 3.73(b).

A review of the petition papers filed on October 18, 2005 reveal that no assignment was filed therewith. A further review of Office records reveal that no assignment of the above-identified application has been recorded with this Office.

Accordingly, Applicant has failed to establish a right to take action in this application in accordance with 37 CFR 3.73(b).

As such, the merits of the petition will not be considered, and the petition is dismissed as inappropriate.

A courtesy copy of this Decision is being forwarded to Petitioner at the address appearing on the petition; however, all future correspondence will be sent to address of record until instructions to the contrary are received.

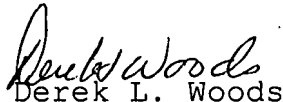
Further correspondence with respect to this matter should be addressed as follows:

By mail: Commissioner for Patents
 PO Box 1450
 Alexandria, VA 22313-1450

By FAX: (571) 273-8300
 Attn: Office of Petitions

By hand: Customer Service Window
 Randolph Building
 401 Dulany Street
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Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.


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